

**CUSTODIAL OR  
ARREST-RELATED DEATHS**

**VI**

## Custodial or Arrest - Related Deaths

Chapter 50 of the Illinois Compiled Statutes, 709/5, mandates the collection of information regarding a custodial or arrest-related death. The reporting guidelines mirror many of the concepts employed by the United States Department of Justice in collecting data mandated by the Death in Custody Reporting Act of 2013. The Act requires states that receive certain Federal criminal justice assistance grants to report information regarding the death of any person who is detained, arrested, enroute to incarceration, or incarcerated.

Custodial or arrest-related deaths are defined as homicides, suicides, accidental deaths, and deaths due to intoxication or medical conditions that occur during one of the four categories of civilian interactions with a law enforcement officer, on or off duty. The four categories are:

- While a person is detained or shortly after a person's freedom to leave is restricted.
  - All deaths that occur while a person is being detained must be reported. Although a majority of the deaths reported involve criminal suspects, individuals not considered subjects of arrest can be detained by law enforcement. Examples include pedestrian and vehicle stops.
  - All deaths that occur shortly after a person's freedom to leave is restricted must be reported if the circumstances causing the death occur during the interaction with the officer. If a person detained sustains an injury during interaction with an officer, and later died as a result of those injuries, the death must be reported.
  - Law enforcement oftentimes assists in the transportation of an individual requiring medical or mental health assistance. The death of a noncriminal person that occurs in the custody of law enforcement personnel in these circumstances is not reported.
- During an attempted arrest or in the process of arrest.
  - All deaths that occur during an interaction with an officer in the process of arrest or attempted arrest must be reported. This includes those that occur during foot pursuits, or standoff and barricaded situations. Deaths that are the result of a vehicular pursuit are only reported if there was direct police action (road blocks, spike strips, or ramming of the offender's vehicle) that contributed to the fatal crash.
  - Deaths that occur during interviews and interrogations, or while a person is detained for questioning must be reported. These deaths may have taken place at a law enforcement facility or in the field and include those attributed to alcohol and drug intoxication, sudden fatal medical conditions, choking on ingested objects, and suicides.
  - Deaths caused by an officer's use of restraint tactics must be reported. These include fatal injuries caused by: physical fighting or struggle with the officer; positional asphyxia or restraint in a prone position; use of control holds or neck restraint; and complications due to body compression.

- While a person is in custody (before incarceration).
  - Deaths that occur after a law enforcement officer has established physical custody of an arrestee must be reported.
  - In-custody deaths are those that have occurred at the scene of an incident; during transport of a criminal suspect; or while a suspect is being held at a booking facility or temporary detention/lockup center.
- While a person is incarcerated.
  - Deaths that occur when an offender has been incarcerated in a municipal or county jail must be reported by the agency responsible for administering the jail. Included are deaths that occur in juvenile facilities.
  - Deaths that occur when an incarcerated offender is outside of the jail parameters must be reported. In most circumstances, the death of the offender is reported by the agency responsible for the administration of the jail. This includes deaths that occur when an offender is being transported to or appears in court; and transported to, seeking treatment at, or admitted to a medical facility. An exception would be when the actions of a law enforcement officer from another agency are responsible for the offender's death.

**Data elements collected in Custodial or Arrest-Related Deaths include:**

- Age, sex, race, and ethnicity of the deceased.
- Age, sex, race, and ethnicity of the officer(s) involved unless the death is due to a medical condition, suicide, or caused by someone other than an officer.
- Manner of death: homicide by officer (justifiable homicide, criminal homicide, or not able to determine until investigation has been completed which can take up to a year), justifiable homicide or criminal homicide by another, suicide, accidental injury resulting in death caused by self or another, accidental alcohol poisoning or drug overdose, or medical condition.
- Charges against the deceased: pre-existing, intended, probation or parole violation, or none when the incident involved a medical or mental health call for assistance.
- Cause of death: medical condition, injuries sustained during the incident, or both medical condition and injury sustained during the incident.
- Used by officer(s) during arrest process: handcuffs, leg shackles, pepper spray or mace, nightstick or baton. Stun-gun or laser, other device, or none.
- Characteristics of deceased: exhibit mental health illness, under the influence of drugs, intoxicated, verbally threaten officer(s), resist being handcuffed or arrested, attempt to flee or escape from custody, attempt to disarm officer(s), and assault or batter the officer(s).
- Weapon associated with the deceased: weapon possession, use of a weapon to threaten officer(s) or other persons, use of a weapon to injure officer(s) or other persons, and intelligence information (i.e. deceased known to carry weapon).
- Location: at the incident/crime/arrest scene, enroute to or at a booking center or police lockup, temporary holding facility, city or county jail, or medical facility.

Custodial/Arrest-Related Death data has been divided in to two sections: incarceration deaths, and deaths prior to incarceration.

## **INCARCERATION DEATHS**

There are four subcategories of incarceration deaths: death occurring in the jail due to illness, homicide committed by another detainee, suicide, and death occurring in a hospital after a detainee was transported due to illness.

- Death occurring in the jail due to illness.
  - Average age of detainee was 39 years of age.
  - Two white males, two black males, and one black female died due to illness.
  - Three detainees died the same date as incarceration, two detainees died within one to five days after date of incarceration.
- Death occurring in the jail due to homicide committed by another detainee.
  - Average age of detainee was 46 years of age.
  - One white male and one black male were killed by another detainee.
  - One detainee was killed the same date as incarceration, one detainee was killed four months after incarcerated.
- Death occurring in the jail due to detainee suicide.
  - Average age of detainee was 27 years of age.
  - Three white males committed suicide while incarcerated.
  - The cause of death in the suicides was strangulation due to hanging.
  - Two detainees who committed suicide had been incarcerated for two or less months, one detainee who committed suicide had been incarcerated for seven months.
- Death occurring in a hospital due to illness after detainee was transported from jail.
  - Average age of detainee was 46 years of age.
  - Four white males, five black males, and one white female detainee died after being transported to a hospital. Illness was the cause of death for nine of the hospitalized detainees. One hospitalized detainee died as a result of a drug overdose and one died from injuries resulting from a suicide-by-hanging attempt.

## DEATHS PRIOR TO INCARCERATION

A majority of the reported deaths prior to incarceration occurred at the scene of the incident, crime, or arrest. Other circumstances include while enroute to a booking, holding, or medical facility, jail, or at a medical facility.

### OFFICER INFORMATION

The average age of officers involved in the death of an offender prior to incarceration is 38 years of age, with an average of ten years experience as a law enforcement officer. Of those officers, 93.5% were male and 6.5% were female, 93.5% were white, and 6.5% were black. Hispanic was the ethnicity of 30.4% of these officers.

### DECEASED INFORMATION

There were 10 white males and 13 black males who died prior to incarceration. Hispanic was the ethnicity of two of the deceased. The average age of the deceased is 34 years of age.

Age of Deceased	
Less than 20 years of age	4
20-29 years of age	6
30-39 years of age	6
40-49 years of age	3
50-59 years of age	4

Characteristics or Actions of Deceased	
Appear Under the Influence of Drugs	1
Exhibit Signs of Mental Disability	3
Verbally Threaten Officers	2
Resist Handcuffs or Arrest	11
Attempt to Flee or Escape	13
Disarm Officer	1
Batter officer	5
Assault Officer	15
Carry Possess Weapon	18
Use Weapon to Threaten Officer(s)	14
Use Weapon to Threaten Others	4
Injure Officer(s) with Weapon	4
Injure Other with Weapon	8
No Weapon	3

## CHARGES

All of the deceased had pre-existing or pending criminal charges. Four of the deceased had pre-existing charges alone. One of the deceased had both pre-existing charges and other intended charges. Eighteen of the deceased had intended charges resulting from offenses that occurred during the incident.

Offenses	
Homicide	1
Robbery	3
Aggravated Battery	9
Aggravated Assault	12
Kidnapping	1
Battery	1
Burglary	3
Motor Vehicle Theft	3
Criminal Damage/Trespass to Property	2
Resisting, Obstructing, Disarming Officer	7
Other Weapon Offense	5
Other Felony	6
Other Misdemeanor	2
Drug Offense	2
Wanted on Warrant	3

## CAUSE OF DEATH

Injuries inflicted by the officer(s) at the scene of an incident were responsible for eighteen deaths. Two of the deceased committed suicide, dying as a result of self-inflicted injuries. Firearms were the weapons used to cause injury. Three deaths were attributed to medical conditions.

<b>Used by Officer(s) at the Incident Scene</b>	
Handcuffs	6
Nightstick or Baton	1
Electronic Control Weapon (Stun Gun/Laser)	2
Other Device	3
None	16

<b>Manner of Death</b>	
Justifiable Homicide by Officer	10
Homicide by Officer	0
Homicide by Officer Not Yet Determined if Justifiable	8
Homicide by Other	0
Suicide	2
Accidental Injury to Self	0
Accidental Injury Caused by Other	0
Accidental Alcohol or Drug Overdose	1
Medical Condition	2

## LOCATION

<b>Location of Death</b>	
At Incident/Crime/Arrest Scene	19
Enroute Booking Facility or Jail	1
Enroute Medical Facility	1
Medical Facility	2